

Sunday 9-16-12

EDITORIAL

Daily Beacon

# Sheriff is at the crossroads

It's not quite time to demand Baca step down — but it's getting close

**L**OS Angeles County Sheriff Lee Baca has once again been slammed, like a perp against the steel bars of a jailhouse cell, by a blue-ribbon commission for his administration's failure to curb abuse of inmates by deputies.

When criticisms such as these have been hurled against Los Angeles County's top cop, as they often have been in his four terms dating back to 1998, the sheriff *seems* to take them seriously.

But then he passes the buck to immediate underlings for failing to let him know about any problems. Baca blames his lieutenants — and captains, and commanders, and chiefs, and the undersheriff — but apparently declines to share some himself.

That's not leadership; it's a desperate attempt by an ineffective manager to keep his public image clean.

It may be time for Baca, 70, to consider resigning his post. It hasn't quite reached the point where the public should demand his removal, but he'd likely have been fired already for such a failure of leadership if the county supervisors had that kind of power over an elected sheriff.

Granted, running the Los Angeles Men's Jail is no more a picnic than being incarcerated in it. The most dangerous murderers, thugs and crooks from not only L.A. County but practically every corner of the world are booked into it on a daily basis. The Hilton, it's not.

But it's also not a place in which those incarcerated should expect to be the victims of a cabal of deputies who hide behind a code of silence about violence. Who have their alleged crimes announced to the general jailhouse population and then are tossed into it. Who are strip searched not because the deputies expect to find any weapons but as a routine tool of humiliation — deputies who use heavy force not as a last resort, as regulations require, but as a first resort.

Judges. Baca's response is, as ever, certainly one of concern — but it's also the administrative equivalent of that old street cop's line to the crowds: "Move along; there's nothing to see here."

The second sentence in an op-ed piece Baca penned in response to the damning report begins with a "but": "But the report neglected to mention a number of important initiatives my management team and I have put into place since allegations of problems at the jails surfaced."

That kind of defensiveness does not become a law-enforcement legend. In fact, it's what separates a Baca from a Chief Charlie Beck of the Los Angeles Police Department, or former LAPD chief William Bratton.

Beck is setting new speed records for recognizing poor leadership and patterns of abuse among his command staff, and he's quickly making appropriate changes. Bratton was an international leader on implementing new ways of creating safer cities.

Baca is not without his innovative qualities. In fact, in many ways his is the opposite of the old cowboy-style, head-knocking sheriff's department. His outreach to Muslim communities is commendable, as is his presence at community meetings and his work ethic.

But Baca is at a major crossroads in his service, even if he claims not to know. The people of Los Angeles County deserve better than excuses and buck-passing from a sheriff with the baggage of inmate abuse, gangs of deputies acting more like criminals and a "special reserves" program that gave badges to "notable" civilians.

Shouldn't that be reason enough for Baca to either make immediate sweeping changes to his command staff or let

# Former assemblyman is arrested

Tues 9-18-12 Daily Breeze

**SOUTH BAY:** Bank fraud charges leveled against Carl Washington, now a county probation official.

**By Christina Villacorte** Staff Writer  
 FBI agents arrested former South Bay state Assemblyman Carl Washington on charges of bank fraud Monday, surprising him while he worked at the headquarters of the county Probation Department.  
 The federal indictment accuses Washington, 47, of stealing thou-

sands of dollars from banks and credit unions by pretending to be a victim of identity theft.  
 "He purchased several goods and services for himself and others, including airline tickets, hotels, rental cars, and also made several cash advances over a four-year period," Assistant U.S. Attorney Douglas Miller said.

FBI agents arrested Washington around 10 a.m. at the Probation Department's headquarters in Downey, where he has worked since 2006 and serves as division chief of intergovernmental relations and legislative affairs.

According to the indictment, Washington allegedly obtained credit cards and loans from financial institutions, shopped for thousands of dollars worth of items and then — instead of paying the bills — filed police reports claiming the credit cards and loans had been opened by someone else, an identity thief.

**Jerry Powers,** chief probation officer for Los Angeles County, right, announces at a press conference on Monday that 39 department employees have been arrested in nine months.



**Scott Varley**  
 Staff Photographer

"That's about one arrest a week," said Powers, who began running the department in January. "Certainly, 39 is way beyond reasonable or expected."

That number is expected to go even higher, as the Probation Department and the county Chief Executive Office have launched a crackdown on workers' compensation fraud in the department.

Probation has about 6,500 employees, and approximately 650 — or one out of every 10 — have active claims for injuries supposedly suffered on the job. CEO William Fujitoka has previously expressed skepticism about some of the claims, which cost the department several million taxpayer dollars each year.

"For those employees who are engaged in criminal conduct of any kind, my message is this: I will utilize every resource at my disposal to bring you to justice," Powers said. "We will not stop or be deterred until we are sure that justice has been served."

He said the department had been lax about enforcing discipline in previous years, but is now expanding the division that investigates misconduct by employees.

"When anyone does something that impugns the integrity of the only job I've ever done, I take it very personally, I take it emotionally, it's something that I'm not going to tolerate," Powers said in a news conference at the same building where Washington was arrested three hours earlier.

Washington grew up in a Watts housing project and was introduced to religion by his older sister. He spent three years at the former Bishop College in Texas and was ordained as a Missionary Baptist minister in 1988.

He is listed online as an associate minister and website administrator at St. Mark Missionary Baptist Church in Los Angeles. During his time in office, Washington preached sermons when he wasn't in the state Capitol, offering his perspectives on parenting, racism and tax cuts, according to a 1998 Daily Breeze profile on the Democratic lawmaker.

He was ordered to make child support payments for his teenage son after stressing family values in his 1996 campaign. In 1997, he was investigated — but later cleared — for illegal vote swapping after making a remark in a committee that suggested he had.

"I knew there was nothing to it," he said in the article. "And I think that comes from knowing who I am and who I belong to. The word we use in some of my district is that I know God has my back."

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**PROBATION AIO**

# Fixes for L.A.'s jails

*By Gerald A. Timos*

A citizens commission will soon present proposals for preventing violence and abuse by deputies.

**T**HE CITIZENS' Commission on Jail Violence has spent the better part of this year listening to testimony and reviewing thousands of documents, and soon it will propose fixes for the problems it has identified. It faces a daunting task.

For starters, the commission must decide whether reform of the long-troubled county jails is possible under Sheriff Lee Baca, who has emerged in the testimony as an out-of-touch figure overly reliant on his command staff. The sheriff has proved ineffective, at best, at running the jails. He blames his staff for keeping him in the dark about inmate abuse and other misconduct by deputies, yet despite repeated complaints over a period of years, he hasn't held anyone accountable or made significant staff changes.

He failed to file inmate complaints in the personnel records of deputies accused of misconduct, making it nearly impossible for such evidence to be used by inmates in criminal defense trials. Although Baca says he's taken steps to reduce abuse in recent months, there's no way to know whether the reduction will continue once he and his

office are out of the spotlight.

The commission should also consider whether the current department structure makes sense in a county as vast as Los Angeles. Can a single sheriff manage the largest jail system in the nation as well as providing public safety to dozens of cities and unincorporated areas? One suggestion that has been made is to split the department and hire an independent corrections expert to run the jails with the help of professional guards; the expert might report to the sheriff, or directly to the county Board of Supervisors. The sheriff would retain full authority over patrols, with deputies assigned to the streets instead of working as jailers, which they weren't trained to do.

Some have suggested that the commission look to the Los Angeles Police Department — whose chief is not elected but appointed by the mayor and reports to a civilian oversight board — as a model for change. But that would require amending the state Constitution. And if that were to happen, who would select the sheriff? The Board of Supervisors doesn't have the best track record of overseeing troubled departments.

The questions facing the commission are tricky ones, but clearly, change is needed. We hope the commission's work leads to real, effective and lasting reforms rather than half-measures that accomplish little or pages of proposals that gather dust on a shelf in the county Hall of Administration.

# Progress at the jails

By Lee Baca  
9-14-12 LA

**L**AST WEEK, the Citizens' Commission on Jail Violence issued a report sharply critical of my department with regard to violence at the Los Angeles County Jail. But the report neglected to mention a number of important initiatives my management team and I have put into place since allegations of problems at the jails surfaced. These measures have resulted in a record low use of force in county jails in recent months.

Here are just some of the initiatives investigators neglected to mention in their report to the jail commission on Friday.

When the American Civil Liberties Union first raised allegations of excessive force being used by deputies, I launched a full-scale investigation into each and every one. Because allegations and anecdotes are not the same as facts, it was important to discover what was true, and I think that when these investigations are completed, which I believe will be soon, the public will be surprised by the factual findings.

But I have not waited for the results of that investigation to take action to improve the jails. After I heard about the excessive force allegations, one of my first steps was to meet with more than 100 inmates and listen to their concerns. The captain of Central Jail, along with key managers and deputies, was present for this town hall-style meeting. At the meeting, inmates were encouraged to express their concerns about excessive use of force, mistreatment and disrespect, and they were assured there would be no reprisals for their remarks.

What we heard primarily were complaints about small things: soap, shower time, family visits, telephone usage, temperature,

toothbrushes. Inmates also raised concerns about medical needs and about what precipitates the use of force.

The inmates explained that a key code of conduct within the jails involves respect. If an inmate is not respectful to other inmates, a violent consequence can be expected. This helps explain why a third of all deputy force used in the jails involves breaking up fights between inmates. Disrespectful conduct by deputies has also led to the use of force, and that is something we can't tolerate. Our core values prohibit disrespectful behavior toward all people.

## A report on jail violence ignores the reforms we've made at county facilities.

My jail managers and I also met with 100 deputies who have used force in their dealings with inmates. In small groups, each deputy explained why he or she resorted to force and made suggestions for preventing such incidents in the future. One practice cited as sometimes leading to the use of force on the part of deputies was taking groups of high-risk inmates out of their cells so a nurse could issue pills in a hallway. I have changed that practice. Inmates now remain in their cells during pill call, which has solved one of the problems that sometimes led to the use of force.

Another practice we have changed after speaking with jail personnel is that of allowing deputies without training in mental health issues to escort declassified mental health inmates back to the old Central Jail. In the past, that has sometimes led to force

being used on inmates who resisted walking and cooperating. I have issued an order that only deputies trained in handling mentally ill inmates may be assigned to escort former patients to their new jail assignments.

To expand dialogue between inmates and deputies, I have formed a Commanders Management Task Force. And to make sure deputies are ready to serve in the jails, we have increased custody training for new deputies from two to four weeks. I have also written and implemented a force prevention policy, and have instituted new and improved training for all Central Jail deputies on using force. This training soon will be expanded to all jails.

Finally, I have assigned 19 additional sergeants to Central Jail, and I have directed all jail captains to hold weekly town hall meetings with inmates to keep abreast of new problems and their solutions.

These new efforts come on top of years of work to improve our jails. For example, in the belief that people who are incarcerated need to learn how to live a positive life and expand their potential as human beings, our jails now offer a variety of self-improvement classes to more than 6,000 inmates.

As the county's elected sheriff, I will take responsibility for any proven allegations involving excessive force in the jails. We are still investigating whether these allegations are valid. But I don't need proof to seize the opportunity for instituting holistic reforms of our jail culture that will improve life for deputies, inmates, professional staff, managers and the hundreds of volunteers who help us on a daily basis. I am determined to make our jail system the least violent in the nation.

LEE BACA has been sheriff of Los Angeles County since 1998.

# Combating wrongful jailings

WJED 9-19-12 L A Times

Sheriff's Dept. is taking photos of detainees to help prevent mistaken identity cases later.

BY ROBERT FATURECHI  
AND JACK LEONARD

Along with his Taser, baton and handgun, Los Angeles County sheriff's Det. David Huelsen has a new tool for meting out justice: a point-and-shoot camera.

The Malibu traffic detective is among a handful of cops the Sheriff's Department has equipped with digital cameras as part of an effort to reduce the number of innocent people jailed after being mistaken for wanted criminals.

The reforms come after a Times investigation detailed how authorities in the county had incarcerated people mistaken for wanted

criminals more than 1,480 times over five years. Some spent weeks behind bars before the errors were realized.

In recent months, other law enforcement agencies around the country have also been confronted with the problem, but the L.A. County Sheriff's Department is emerging as one of the leaders in attempting to solve it.

Deputies are using the cameras to take photos of

people who get cited but don't have ID. If a defendant misses court appearances and becomes the subject of an arrest warrant, officials hope having the photos on file will avoid cases of mistaken identity.

"I don't want to arrest someone for a crime they really didn't do," said Huelsen, a coordinator for the pilot program, while patrolling Pacific Coast Highway. "All the time you pull someone

over, you run their name and it comes back with warrants and it's like 'Am I taking this guy in or not?'"

Sheriff's officials expect to give cameras to additional deputies in the future and said that having more photographs attached to outstanding warrants will allow judges to quickly realize when innocent people have been picked up on warrants not meant for them.

[See L.A. County, A13]

# Making sure they don't jail wrong person

[L.A. County, from A1]  
Under the new program, deputies will also be required to fill out a form that compares the newly detained person's identifying features, such as the unique number assigned to a suspect's fingerprints, side by side with those of the person listed on the warrant. A supervisor will have to review the form when the suspect is booked.

The Times found that many victims of this problem had the misfortune of sharing names with criminals who have outstanding warrants. Others had had their identities stolen by wanted criminals.

By the end of next year, sheriff's officials said, they hope to provide deputies with devices that take the fingerprints of everyone cited and released in the field, a method of identification even more foolproof than photographs. They're also considering requesting legislation that would revamp the state's warrant database and wipe away warrants that are old and minor or meant for suspects who have since died.

"Everyone deserves to have this solved," said sheriff's Chief William McSweeney, who headed a task force that reviewed the problem. "Going to jail, if it's not you, is

Sheriff's officials point out that the number of mistaken identifications has been declining and the cases make up just a tiny fraction of the population inside L.A. County lockups, the largest jail system in the nation. They said that many victims were wrongly detained after they were arrested on a separate charge and authorities mistakenly linked them to an outstanding warrant.

Nevertheless, for those wrongly jailed, the experience can be harrowing.

In one case reported by The Times, a mechanic held for nine days in 1989 on a warrant meant for someone else was detained again 20 years later on the same warrant. He was jailed for more than a month the second time before the error was discovered. In another case, a former construction worker mistaken for a wanted drug offender said he was assaulted by inmates and ignored by guards.

The problem is by no means exclusive to Los Angeles County. In recent months, at least two other cities have struggled with the issue. In St. Louis, the mayor launched a task force to stop the incarceration of misidentified people after a news report there detailed several such cases, including two in which the individuals were stuck in jail for months. And in Denver, civil rights attorneys sued authorities, claiming more than 500 people had been wrongly jailed there over seven years, with some even pleading guilty to crimes they didn't commit before authorities realized their mistake. In one reported case, a black man was jailed for nine days on a sex crimes warrant meant for a white man.

Critics of the L.A. County

Sheriff's Department welcomed the reforms but said more could be done.

Attorney Donald W. Cook, who has represented more than a dozen people mistakenly held on warrants, called the changes "a step in the right direction."

He said that for years the sheriff's lawyers maintained there was nothing wrong with the system. Cook complained that officials acted only after The Times highlighted the problem in December.

"Then there was a fallout, and [Sheriff Lee] Baca comes out and does an about-face," he said.

The Times found that the wrongful jailings occur because of breakdowns not just by sheriff's officials but by police in other jurisdictions who arrest the wrong people, and by the courts, which have issued warrants that did not precisely identify the right suspects.

Cook agreed, saying judges should take a more active role in solving the problem. In California, people who are arrested are assigned a unique nine-digit number matched to their fingerprints. The courts, he said, should make sure that those numbers are always included on warrants.

Judge Patricia Schnegg, who supervises the county's criminal courts, said there's nothing more they can do because court clerks already ask for the numbers and include them on warrants whenever they're available.

Through August of this year, sheriff's officials reported 120 instances of wrongly jailed people, just four fewer than during the same period last year.

While the reforms address some of the reasons why people are mistakenly arrested on warrants, they do little to deal with criticism from victims who say they made repeated pleas that went ignored by deputies. The Sheriff's Department has a stated policy to launch investigations when inmates protest that they've been misidentified, but records show that investigations were conducted for only a small fraction of the people who courts eventually ruled were not the right suspects.

McSweeney said jail deputies often overlook such complaints, adding that they are bombarded with inmates making false claims. The department, he said, decided instead to focus on trying to prevent the problem earlier in the process, before arrestees get to jail.

Phillip Reed, who was arrested in 2009 on a warrant meant for his brother, said he was pleased that the county was taking on the problem but believed the reforms came too late. He said his wrongful jailing caused him to fall background checks for two job opportunities.

"The damage is pretty much done for me," he said.

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In ending 17-12

# Baca facing hardest test of career

The L.A. County sheriff's leadership is being questioned, and he is under pressure to revamp his senior management team.

BY JACK LEONARD AND ROBERT FATURECHI

Facing severe criticism of his leadership, Los Angeles County Sheriff Lee Baca finds himself confronting his toughest political test since he took the helm of the nation's largest sheriff's department nearly 14 years ago.

A damning presentation by investigators to a county commission examining jail violence depicted Baca as a disengaged and uninformed manager who failed to prevent abuse of inmates by jail deputies. Federal authorities are investigating his department, including whether his deputies brutalized prisoners and harassed minority residents of the Antelope Valley. And the sheriff is facing growing political pressure to overhaul his jails and revamp his senior management team.

"The sheriff should be sweating an awful lot of bullets," said Supervisor Gloria Molina. "This is his come-to-Jesus moment."

The next few months will be crucial. Baca says he has already taken steps to reduce violence in the jails and defends his record while also resisting calls to discipline his top aides. His spokesman has said the sheriff would not commit to carrying out all of the commission's suggested reforms until he sees them. They are expected to be released later this month.

Molina said she believes the sheriff is capable of addressing the problems that afflict his jails but must get rid of his top assistant, Undersheriff Paul Tanaka, [See Baca, A10]

# County probation official arrested on fraud charges

Times 9-18-12 LA Times

Former Assemblyman Carl Edward Washington is accused of filing false identity theft claims.

BY RICHARD WINTON AND JASON SONG

The arrests seem to be piling up at an unusual pace.

Two weeks ago, a six-year employee of the Los Angeles County Probation Department was charged with persistently filing false workers' compensation claims.

Earlier this month, police arrested a probation officer for allegedly shooting a man in a Covina bar. Those cases came on top of the dozens of

drunk driving, drug possession and theft arrests that seemed scattered throughout the 6,500-employee agency.

On Monday, FBI agents arrested the highest-ranking member of the department yet — Carl Edward Washington, a division chief of intergovernmental relations and former state legislator.

Washington, 47, was taken into custody about 10 a.m. He is accused of defrauding a bank and two credit unions by falsely claiming to be a victim of identity theft.

He was released on \$25,000 bond after a hearing in federal court and could not be reached for comment.

Washington was one of at least 40 county probation employees arrested in the

last 12 months, 32 of whom were sworn law enforcement officers.

"They shouldn't have 40 arrests in any department," said Connie Rice, a prominent Los Angeles civil rights attorney and law enforcement monitor who has been critical of the department. "If you have 40 arrests, that ought to be a sign that something is very wrong. It's like: 'Houston, we have a problem.'"

Probation officials quickly held a news conference, saying that Monday's arrest was part of an internal crackdown on misconduct in the department, which is responsible for supervising about 80,000 criminals who have been released from jail or juvenile detention.

[See Probation, A9]

# Probation official arrested in bank fraud

**[Probation, from A1]**  
Chief Jerry Powers said he was aware of other investigations and had begun to institute new policies, such as requiring potential hires to undergo polygraph tests, to root out the problem.

"There will be arrests in the future as we continue to rid the department of these employees," Powers said. "This is a very painful process but a necessary one."

Powers said he was particularly concerned with the level of crime found within the department.

"I have been doing this for 28 years and this is the largest [probation] department in the country so I would expect some employees arrested for driving under the influence," he said. But "I am particularly alarmed at the number of high-level fraud [and] drug offenses."

Although some employees abused their county positions, Powers said, none harmed a minor, misused public funds or compromised department operations.

Of the arrested employees, 20 were accused of driving under the influence; seven of theft or fraud; five of violent crimes; and three of drug offenses. Information on the other arrests was not available.

Powers was appointed chief last year by a Board of Supervisors that is eager to reform a sprawling 30-office agency that has seen a revolving door of leaders and is under federal oversight for misuse of force against juveniles.

In a 2010 investigation, The Times identified at least 11 Los Angeles County juvenile probation officers who had been convicted of crimes or disciplined for inappropriate conduct involving current or former probationers, including several cases of molesting or beating youths in their care.

Donald Blevins, who preceded Powers as probation department chief for about two years until leaving under pressure from county supervisors last year, said he was not surprised by the number of arrests given the turmoil at the department has

ced.  
Blevins said that to comply with federal mandates to increase the number of caseworkers, the department had to hire some employees without doing proper background checks.

"We had people working for us who should have never been hired in the first place," he said. "You look at this as a cleansing process.... If you can't avoid getting arrested you have no business being in law enforcement."

A six-year county employee, Washington is an ordained minister who was once an aide to retired Supervisor Yvonne F. Burke.

Starting in 1996, Washington was elected three times to the state assembly, representing a district that included Compton and Paramount.

He unsuccessfully ran for Los Angeles City Council in 2001.

According to a federal indictment, Washington is accused of defrauding First

credit cards and loans to purchase airline tickets and hotel rooms, and to obtain cash advances.

He then stopped paying off his debts, claiming to be a victim of identity theft, according to documents.

Washington would send police reports of the alleged identify theft to credit reporting agencies and request that the credit cards and loans be removed from his financial records, pro-

secutors allege.

Washington would then apply for another round of credit cards and loans, according to the indictment. Authorities would say only that the amounts totaled "several thousand dollars."

Each of the six counts in the indictment carries a maximum of 30 years in federal prison.

Despite the rash of arrests, the union representing probation employees de-

fended its members in a statement Monday.

"We will not allow the arrest of this one individual, or of the handful of sworn officers who have allegedly violated the public's trust, to cast a cloud over the fine men and women who are supervising juvenile and adult probationers," the union said.

Powers said he plans to ask county supervisors for money to hire 11 extra inter-

nal affairs investigators to more thoroughly monitor the department.

Supervisor Mark Ridley-Thomas said he was willing to consider Powers' request.

"The probation department has its unique challenges and it's high time we dealt with them," he said.

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# Baca faces tough questions

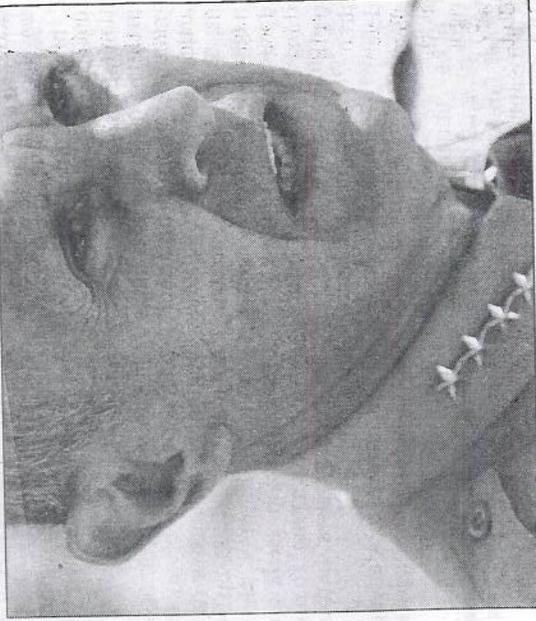
Monday 9-17-12 LA Times

[Baca, from A1] who was accused by commission investigators of urging deputies to be aggressive and discouraging investigations of misconduct. She said she would call for Baca's resignation if he does not embrace the commission's advice.

Supervisor Zev Yaroslavsky agreed that Baca must

face up to the problems identified earlier this month by the commission's investigators. "Unlike most other law enforcement executives he has the capacity to admit mistakes," Yaroslavsky said. "There are a lot of people in his position who wouldn't be able to survive this. I think he can."

Baca, a Republican in a



BOB CHAMBERLIN Los Angeles Times

**COMMISSION INVESTIGATORS** depict Sheriff Lee Baca as a disengaged and uninformed manager who failed to prevent abuse of inmates by deputies.

